

KALAN MOODY	§	
v.	§	CIVIL ACTION NO. 6:10cv318
BRAD LIVINGSTON, ET AL.	§	

On July 1, 2010, Moody was ordered to pay an initial partial filing fee of \$16.83, pursuant to 28 U.S.C. §1915(b). When no payment was forthcoming, the Magistrate Judge issued a Report on September 14, 2010, recommending that the lawsuit be dismissed without prejudice for failure to prosecute or to obey an order of the Court. Moody received a copy of this Report on September 17, 2010, but filed no objections thereto; accordingly, he is barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has carefully reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has concluded that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the above-styled civil rights lawsuit be and hereby is DISMISSED without prejudice for failure to prosecute or to obey an order of the Court. Finally, it is

ORDERED that any and all motions which may be pending in this civil action are hereby DENIED.

So ORDERED and SIGNED this 25th day of October, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**